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Tom F. Noonan, Executive Director

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September 22, 2008

Surface Transportation Board  
1825 "K" St NW  
Washington, D C , 20423-0001

Reference STB Docket No AB-1087 (Sub No 1X)

Following up on our January petition, the Iowa Trails Council requests the Surface Transportation Board to place a Public Use Condition on this proposed abandonment by the Iowa Northwestern Railroad. We also request that a Notice of Interim Trail Use be granted for this right-of-way between Milepost 215.4 and Milepost 252.3 in Iowa's Dickinson and Osceola counties.

Conditional abandonment is essential in our opinion, with the retention of the right-of-way as a trail, as authorized by Congress in 1983 in Section 8 (d), U S C 1247 of the National Trail System Act. Such a trail would provide for the preservation of the right-of-way for potential reactivation of rail service with interim use as an energy efficient transportation route, providing an opportunity for healthful walking, jogging and bicycling between the two points.

We take no position as to whether the Surface Transportation Board should approve abandonment of this right-of-way, but we do believe that if abandonment is approved it should be conditioned on the use of the corridor as a trail, with the potential to be reactivated as an active railroad in the future.

Iowa ranks near the bottom of the States that provide recreational opportunities, although it is ranked high in the preservation of railroad rights-of-way, using them as trails, contributing significantly to Iowa's economy, while at the same time helping to improve the health of the residents of the State. This particular area of the State has other established recreational facilities and creating this trail would enhance those facilities.

Utility lines could be established within the corridor, thus providing for preservation of valuable crop land that would otherwise be taken for this purpose.

If a NITU and PUT are issued these should include the condition that removal of structures such as bridges, trestles, culverts, tunnels, and ballast be barred as these are essential to the reactivation of rail service, as well as to the use of the right-of-way as a trail.

The Iowa Trails Council, is representing the interests of the Dickinson

County Trails Board, a county government entity, as well the Okeola County Conservation Board and the cities of Allendorf and Lake Park in this matter. These governmental bodies are willing to assume full financial responsibility for management of such rights-of-way and for any legal liability (unless immune from liability) arising from transfer of title and for the payment of all taxes and assessments that may become due after title is received. It is acknowledged, as well, that it is understood that the use of this right-of-way as a trail, is contingent upon continuing to meet their responsibilities as stated above.

It is further agreed that the uses of this right-of-way as a trail will be terminated if there is need for reactivation of rail service as provided in U.S.C. 1247 and CFR 1159.28, Section 8 (d) of the National Trails System Act, as amended in 1983.

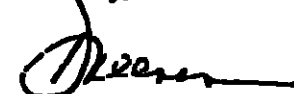
If conditional abandonment is approved by the STB we request that we be allowed at least a 180 day period in which to conclude these negotiations. The Council's extensive experience in the acquisition of railroad rights-of-way for conversion to trails over the past thirty years has led us to believe that negotiations for transfer of title can easily consume more than 180 days, which we understand to be the usual allotted time period in which to complete negotiations.

The Iowa Natural Heritage Foundation may join with the Iowa Trails Council and the other governmental bodies named herein in these negotiations. It will be our goal to conclude these negotiations within as short a time period as possible and we intend to make every effort to bring these negotiations to a satisfactory conclusion within the time allotted. Waiver of the required fee is requested since we are representing several governmental bodies.

A map of the location of the proposed line to be abandoned is included herewith. We are providing ten copies of this petition for the Surface Transportation Board and are sending a copy of the petition to the Iowa Northwestern Railroad office in Omaha.

We thank you for your kind consideration in this matter.

Sincerely,



Tom F. Neenan

